

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

EZEKIEL TRIVON BONDS,  
  
Plaintiff,  
  
v.  
  
BRANDT et al.,  
  
Defendants.

CASE NO. 3:22-cv-05490-DGE  
  
ORDER ADOPTING REPORT AND  
RECOMMENDATION (DKT. NO. 16)

On July 5, 2022, Plaintiff, proceeding pro se and *in forma pauperis*, filed this civil rights complaint pursuant to 42 U.S.C. § 1983. (Dkt. No. 1). The Court reviewed and screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A. (Dkt. No. 12.) The Court found that Plaintiff failed to state a claim upon which leave could be granted but provided Plaintiff with leave to amend his complaint. (*Id.* at 1.) On August 15, 2022, Plaintiff filed an amended complaint. (Dkt. No. 13.)

1 On September 16, 2022, United States Magistrate Judge David W. Christel, finding that  
2 Plaintiff did not state a claim upon which relief could be granted and that Plaintiff should not be  
3 given additional leave to file another amended complaint, issued a Report and Recommendation  
4 (“R&R”) recommending that Plaintiff’s complaint and this action be dismissed without  
5 prejudice. (Dkt. No. 16.) Plaintiff did not object to Judge Christel’s R&R.

6 The Court, having reviewed Plaintiff’s amended complaint, the Report and  
7 Recommendation of United States Magistrate Judge David W. Christel (Dkt. No. 16), and the  
8 remaining record, does hereby find and ORDER:

9 (1) The Court ADOPTS the Report and Recommendation.

10 (2) Plaintiff’s complaint is DISMISSED without prejudice for failure to state a claim  
11 upon which relief can be granted, and the Clerk is directed to close this case.

12 (3) As Plaintiff failed to state a claim upon which relief can be granted, the Court  
13 finds this case is a “strike” under 28 U.S.C. § 1915(g).

14 (4) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon.  
15 David W. Christel.

16 Dated this 14th day of October, 2022.

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David G. Estudillo  
19 United States District Judge  
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